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NOV 06 2014

THOMAS M. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

✓

Anthony James
M-30693

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

14 C 8953

Judge Matthew F. Kennelly

Magistrate Judge Mary M. Rowland

Tammy Williams
Prisoner Review Board
Stewart J. Umholtz
Michael Green
Robert (unknown) Parole Agent
Tracy (unknown) Super-Intendant
(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Anthony J. James
- B. List all aliases: N/A
- C. Prisoner identification number: M-30693
- D. Place of present confinement: Stateville Correctional Center/NRC
- E. Address: P.O. Box 112, Joliet, IL 60434

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Terry Williams
Title: Warden
Place of Employment: Stateville Correctional Center
- B. Defendant: Prisoner Review Board
Title: Director
Place of Employment: Springfield, IL.
- C. Defendant: Stewart J. Umholtz
Title: State Attorney
Place of Employment: Tazewell County, Pekin, IL.

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Z A

D. Defendant: Michael Green
Title: Assistant State's Attorney of Tazewell County
Place of Employment: Pekin, IL

E. Defendant: Robert (unknown)
Title: Parole Agent
Place of Employment:

F. Defendant: Tracy (unknown)
Title: Super Intendant
Place of Employment: Stateville Correctional Center

Z A

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

In July, 2012, I was sentenced to 3 years T.D.O.C.
with 1 year MSR on case NO. 11CF219. ON 9/20/2013 I was
paroled from Lawrence Correctional Center as a T.O.T.
transfer into the custody of Tazewell County Justice
Center for an outstanding warrant for a case that
occured on 6/23/2012, before I was in custody or
serving time on case NO. 11CF219. I served 254 days
total in Tazewell County Custody, which I also seen
my agent once a month to comply with the rules.
On 6/2/14, I was sentenced on case NO. 13CF27, to
2 years T.D.O.C. with 1 year MSR. I was given 254 actual
days credit towards my sentence, which puts my projected
out date 9/18/2014, on case NO. 13CF27. (Exhibit #6)
On 6/25/2014, I was declared a parole violator
by the defendants on case NO. 11CF219. It was
stated that the violation took place on 6/23/2012.
But how is it possible to be in violation of parole
a month prior to my sentencing date? I have yet

to be convicted on case NO-11CFZ19. I was convicted
on 7/23/2012, and turned over to the custody of the
Illinois Department of Corrections in late July, and or
early August, 2012 to serve the imposed sentence
of 3 years custody, and 1 year MSR, never having the
opportunity to violate or receive parole.

(See exhibits 1-9)

I've tried continuously to have this matter corrected
and cleared up among the Department of Corrections
through the offenders Grievance process and through
communication with the counselors. (See Exhibit 10)

Therefore, the following defendants are involved in this
matter as well; Robert (unknown), Parole Agent, on 6-16-2014
signed off on a Parole violation sheet (ex. #7), for an offense
that took place prior to receiving parole.

Director of the Prisoner Review Board (unknown), on 6-25-2014,
at NRC, deemed me a violator and revoked parole on case NO-11CFZ19
when I was never on parole at the time of the offense.

Stewart, J. Umholtz, on 6-23-2012 failed to train and supervise
staff properly at Tazewell County Court house.

Michael Green, malicious prosecution, on 6-23-2012 violated
my due process right and failed to prosecute case in a timely manner at
Tazewell County Justice Center.

SA.

Tarry Williams (warden) at stateville Correctional Center failed to train staff properly.

Tracy (unknown) Super Intendant, failed to investigate the situation on 7-1-2014 when the error was presented to her attention at ~~State~~ Stateville Correctional Center.

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like for the court to rule in my favor and
award the defendant plaintiff \$8.5 million dollars for the confusion
and stress on behalf of the defendants and all parties involved.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 4 day of November, 20 14

Anthony James
(Signature of plaintiff or plaintiffs)

Anthony James
(Print name)

m-30693
(I.D. Number)

Stateville Correctional Center/NRC

P.O. Box 112

Joliet, IL 60434
(Address)

Exhibit 1

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
TAZEWELL COUNTY**

PEOPLE OF THE STATE OF ILLINOIS, Plaintiff }

vs. }

ANTHONY JAMES, Defendant }Case No. 11 CF 219

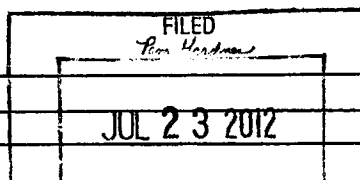
JUDGE <u>SUNE</u>	COURT REPORTER	PROS. ATTY: <u>AMR HANS</u>
DATE <u>7/23/12</u>	COURTROOM <u>308</u>	CLERK <u>Carla</u>
		DEF. ATTY: <u>PARISHA</u>

ORDER**HISTORY**

- ☒ 1. The parties announce that a tentative plea agreement has been reached, and the parties disclose the agreement and the reasons for it to the Court. Pursuant to the agreement the Defendant offers to plead guilty to the charge(s) of FORGERY (CLASS 3)

in violation of 720 ILCS 5/17-3

- ☒ a. The plea agreement fully disposes of the case.
☐ b. The plea agreement is a partial plea agreement whereby



- ☐ 2. Without any agreement of any kind, the Defendant announces to the Court that the Defendant desires to waive the Defendant's right to a trial and plead guilty to the charge(s) of

in violation of 720 ILCS

- ☐ 3. The Defendant entered a voluntary plea(s) of guilty on 20, to the charge(s) of

in violation of 720 ILCS

- ☐ 4. The Defendant was found guilty on 20, by the Court/jury of the charge(s) of

in violation of 720 ILCS

FINDING

- ☒ 5. Pursuant to Supreme Court Rule 402, the Court fully INFORMS the Defendant of the Defendant's rights and FINDS that the Defendant understands: (1) the nature of the charge(s) against the Defendant; (2) the minimum and maximum sentence(s) prescribed by law for the charge(s) to which the Defendant has offered to plead guilty, including any term of Mandatory Supervised Release, and also including when applicable any penalty to which the Defendant may be subjected because of prior convictions or consecutive sentences; (3) that the Defendant has the right to plead not guilty, or to persist in that plea if it has already been made, or to plead guilty; and (4) the Defendant's right to a trial by jury or by the Court without a jury and that if the Defendant pleads guilty there will not be a trial of any kind, so that by pleading guilty the Defendant waives the right to a trial by jury and the right to be confronted with the witness against the Defendant.

- ☒ 6. The Court FINDS that the Defendant's plea(s) of guilty and waiver of rights are knowingly, understandingly and voluntarily made and that no force, threats, improper conduct or promises (apart for the plea agreement) were used to obtain the Defendant's plea(s) of guilty.
- ☒ 7. The Court FINDS after questioning the Defendant in open Court:
- ☒ a. That the plea agreement has been stated in open Court and the terms of the agreement have been confirmed by the Defendant personally.
- ☐ b. That the Defendant has personally confirmed that there is no plea agreement.
- ☐ 8. The Court FINDS that the Defendant has knowingly, understandingly and voluntarily waived the Defendant's right to a preliminary hearing or to be charged by Indictment.
- ☒ 9. The Court FINDS that there is a factual basis for the Defendant's plea(s) of guilty.
- ☒ 10. The Court FINDS the age of the Defendant to be 28 years, the Defendant's date of birth being 11/25/83, _____. The Court further FINDS the Defendant's address to be _____.

CONVICTION

- ☒ 11. The Court ORDERS that the Defendant's plea(s)/the jury's verdict(s)/the Court's finding(s) of guilty to the charge(s) of FORGERY (CLASS 3) in violation of 720 ILCS 5/17-3 is/are accepted and entered of record, and the Court hereby enters judgement on the plea(s)/verdict(s)/finding(s) of guilty and convicts the Defendant of said charge(s).

PRE-SENTENCING INVESTIGATION

- ☐ 12. This matter is REFERRED to the Adult Probation Office of Tazewell County for a pre-sentence investigation, psychological evaluation, if appropriate, and written report thereon. A sentencing hearing is set for _____, 20____, at _____ AM/PM. The Defendant is ORDERED to report to said Probation Office immediately.
- ☒ 13. The Courts FINDS that the Defendant waives the right to a pre-sentence investigation and written report thereon, both parties having agreed to the imposition of a specific sentence and the Court having made a finding as to the Defendant's history of delinquency or criminality.

SENTENCING HEARING

- ☐ 14. Pursuant to 730 ILCS 5/5-4-1, the Court conducts a full sentencing hearing on this date.

AGREEMENT ACCEPTED

- ☒ 15. The Courts announces its acceptance of the plea agreement.

SENTENCE

- ☐ 16. It is ORDERED that the Defendant is sentenced to Probation/Conditional Discharge/Probation under 720 ILCS 550/10 or 410, for a period of _____ commencing this date, and the Court further ORDERS that the conditions of probation or conditional discharge will be those conditions specified on the Certificate of Probation or Conditional Discharge signed by the Defendant and filed herein on this date, which certificate is expressly incorporated by reference into this Order. The Defendant is ORDERED to report immediately to the Adult Probation Office of Tazewell County.
- ☒ 17. It is ORDERED that the Defendant is sentenced to imprisonment in the custody of the Illinois Department of Corrections for the term of 3 years, plus 1 years Mandatory Supervised Release, and the Defendant is committed to the custody of said Department for the term specified or until discharged by law.
- ☐ a. This sentence is to run concurrently with _____.
- ☐ b. This sentence is to run consecutively to _____.
- ☐ c. In addition to the sentence of imprisonment, the Defendant is sentenced to pay a fine of _____ to be paid _____.
- ☐ d. In addition to the sentence of imprisonment, the Defendant is sentenced to make restitution to _____ in the amount of _____.
- ☒ e. The Court FINDS that the Defendant is eligible for an extended term of imprisonment for the offense(s) of FORGERY (CLASS 3) because:
- ☒ (i) The Defendant has been convicted of the same or greater class felony within 10 years, excluding time spent in custody, and the charge(s) were separately brought and tried and arose out of a different series of acts.
- ☐ (ii) Said offense(s) was/were accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty.
- ☒ f. Execution of this Order:
- ☐ (i) is stayed until _____, 20____, at _____ AM/PM, and the Defendant is ORDERED to report to the Tazewell County Jail at said date and time, for transmittal to the Illinois Department of Corrections.
- ☒ (ii) shall be without delay, and the Defendant is remanded to the custody of the Tazewell County Sheriff for transmittal to the Illinois Department of Corrections.
- ☐ 18. It is ORDERED that the Defendant is sentenced to imprisonment for _____, a period of less than one year; and the Defendant is committed to the custody of the Tazewell County Sheriff to serve this sentence in the Tazewell County jail or another county jail as the Sheriff may determine.

MISCELLANEOUS

- ☒ 19. Judgment is entered against the Defendant for the costs plus all mandatory assessments of this proceeding.
- ☒ 20. Cash bail on deposit is to be returned to the Defendant or assignee after payment of costs, *judgments*, mandatory assessments, restitution, fines, public defender fees and other assessments owed by the Defendant in any other Tazewell County criminal or quasi-criminal cases.
- ☐ 21. Pursuant to the pleas agreement, the following charge(s) is/are dismissed:
- _____
- _____
- _____
- ☒ 22. The Defendant is to be given credit for ~~94~~ 104 days spent in custody for this offense, but the Defendant is to be given no credit for time spent on probation.
- ☒ 23. Pursuant to Supreme Court Rule 605, the Defendant is informed of the Defendant's appeal rights.
- ☐ 24. Bail pending appeal is set in the amount of _____.
- ☒ 25. Pursuant to 730 ILCS 5/5-4-3, the Defendant is ordered to submit blood, saliva or tissue samples to the Illinois Department of State Police for analysis and DNA indexing. Defendant is further ordered to pay the statutory analysis fee of ~~\$200.00~~ \$250.00
- ☐ immediately, out of bond; or
- ☒ by end of MSR; or
- ☐ in monthly installments of _____ until paid in full.
- ☒ 26. Other: The defendant shall receive day for day credit on ~~94~~ 104 days spent in custody to date and on entire sentence.
- The previously scheduled pretrial dates of 8/10/12 and 8/20/12 jury trial are vacated per this agreement.

Entered: 7/23/12

 Judge of the Tenth Judicial Circuit

MSR VIOLATORS SENTENCED UNDER 1978 LAW

NAME Anthony James NUMBER M30693 DATE 6.25.14

(STEP 1) (A)

13 19 Mo. Day
 14 5 30 (Recustody/New Sentence Date)
 - 12 6 23 (Date D.A.V.)
 1 11 9 (Time Lost - MSR Viol.)

(STEP 1) (B)

Yr. Mo. Day

(Recustody/New Sentence Date)
 (Date D.A.V.)
 (Time Lost - MSR Viol.)

(STEP 2)

Yr. Mo. Day

(Time Lost-1st Viol.-A)
 + (Time Lost-2nd Viol.-B)
 (Total Time Lost)

(STEP 3) (Mitimus NO. 11CF0219)
 PROJECTED OUT DATE

Yr. Mo. Day

12 4 9 (Custody Date)
 + 1 6 (Sentence Less GCC)
 13 9 30 (Proj. Out Date)
 - 13 9 18 (Previous Time - Lost/Awarded)
 + 13 9 21 (Proj. Out Date)
 + 14 9 21 (MSR Term)
 + 14 9 21 (Maximum Date)
 + 1 11 9 (Time Lost - MSR Viol.)
 16 8 30 (Discharge Date)

(STEP 4)

Yr. Mo. Day

16 8 30 (Discharge Date)
 - 14 6 2 (Recustody/New Sentence Date)
 2 2 28 (Time to Serve)
 - 1 1 14 (G.C.C.)
 1 1 14 (Time Left to Serve)

(STEP 5)

Yr. Mo. Day

14 6 2 (Recustody/New Sentence Date)
 + 1 1 14 (Time Left to Serve)
 15 7 16 (Proj. Discharge Date)

(STEP 6)

Yr. Mo. Day

(Proj. Discharge Date)
 + (Sentence Less GCC)
 (Adj. Proj. Out Date)

(STEP 7)

Yr. Mo. Day

(Release Date)
 - (Recustody/New Sentence Date)
 (G.C.C.)

(STEP 8)

Yr. Mo. Day

(Discharge Date as in Step 3)
 - (GCC)
 (Proj. Discharge Date)

Projected Discharge/Out Date 7.16.15Calculated By 10Terminal Operator KE

DC 1324 (Rev. 9/98)

Date Entered 6.25.14

IL 428-00524

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
TAZEWELL COUNTY, ILLINOIS**

THE PEOPLE OF THE STATE OF ILLINOIS
v.

ANTHONY JEROME JAMES

Case # 2013CF000027

Warrant #42918

RECEIVED
FEB 26 2013

TAZEWELL COUNTY SHERIFF

WARRANT OF ARREST

Last Known Address:
PEORIA, IL 61605

Date of Birth: 11/25/1983

DL: 0

Alias(es):
JAMES, ANTHONY JEROME AKA

Person #100100819

SEX
M

RACE
B

HEIGHT
6'01"

WEIGHT
220

HAIR
BLK

EYES
BRO



TO ALL PEACE OFFICERS OF THE STATE OF ILLINOIS: You are hereby commanded to arrest ANTHONY JEROME JAMES, hold that person to bail, and bring that person, without unnecessary delay, before Judge KEVIN R GALLEY of the Tenth Judicial Circuit in the courtroom usually occupied by this judge in the Tazewell County Courthouse, 342 Court Street, Pekin, Illinois, 61554, or if this judge is unable to act then before the most accessible judge in Tazewell County, to answer for the following offense(s):

BURGLARY ; RETAIL THEFT/DISP MERCH/>\$300 ;

Warrant Type: Contempt - Failure to Appear Criminal

Date of Offense: 06/23/2012

Service Limits: ~~ILLINOIS SERVICE ONLY~~

Bail: \$10,000.00, Bond - 10%

Issued at Pekin, Tazewell County, Illinois,
this February 26, 2013

Kevin R. Galley

Judge

STATE OF ILLINOIS
TAZEWELL COUNTY

} SS.

RETURN OF SERVICE
SEP 23 2013

I have executed the above warrant by arresting the Defendant named therein in accordance with 725 ILCS 5/110-9.

The defendant was released on bail in the amount of \$ _____, this 21 day of Sept
20 13. FEES: Service and return \$ 8.00; Mileage \$ 1.00 (2 mi. @ \$.50 per mi.)

TOTAL: \$ 9.00.

Chankin

Peace Officer

Arrested by IDOC
Transported from IDOC

FILED

JUN 27 2013

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
COUNTY OF TAZEWELL

Finley C. Allen
TAZEWELL COUNTY CIRCUIT CLERK
TENTH JUDICIAL CIRCUIT OF ILLINOIS

The People of the State of Illinois
v.

DEFENDANT:
ANTHONY JEROME JAMES
1026 SW MORELAND
PEORIA, IL 61605

Case # 2013CF000027

BILL OF INDICTMENT

COUNT 1: The Grand Jury of Tazewell County, Illinois, charges that **ANTHONY JEROME JAMES**, on or about the 23rd day of June, 2012, at East Peoria, in the County of Tazewell, State of Illinois, committed the offense of

BURGLARY

IN THAT SAID DEFENDANT KNOWINGLY AND WITHOUT AUTHORITY ENTERED WALMART WITH THE INTENT TO COMMIT THEREIN A THEFT,

in violation of 720 ILCS 5/19-1(a)

A Class 2 Felony

COUNT 2: The Grand Jury of Tazewell County, Illinois, charges that **ANTHONY JEROME JAMES**, on or about the 23rd day of June, 2012, at East Peoria, in the County of Tazewell, State of Illinois, committed the offense of

RETAIL THEFT OVER \$300

IN THAT SAID DEFENDANT KNOWINGLY TOOK POSSESSION OF A BLENDER AND AN AIR CONDITIONER WHICH WAS MERCHANDISE OFFERED FOR SALE AT WALMART, A RETAIL MERCANTILE ESTABLISHMENT, WITH THE INTENT TO PERMANENTLY DEPRIVE SAID MERCHANT OF THE POSSESSION, USE OR BENEFIT OF SAID MERCHANDISE, WITHOUT PAYING THE FULL RETAIL VALUE OF SAID MERCHANDISE, SAID MERCHANDISE HAVING A FULL RETAIL VALUE EXCEEDING \$300.00,

in violation of 720 ILCS 5/16-25(a) (1)

A Class 3 Felony

A TRUE BILL

DEFENDANT DESCRIPTION

DOB: 11/25/1983 Sex: MALE Race: Black
Height: 601 Weight: 220
Hair: BLK Eyes: BRO



Foreperson

List of Witnesses:

Exhibit # 5

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
TAZEWELL COUNTY**

PEOPLE OF THE STATE OF ILLINOIS, Plaintiff

vs.

Anthony James, Defendant

Case No. 13-CF-27

JUDGE <u>Bronk</u>	COURT REPORTER <u>lor</u>	PROS. ATTY: <u>MB</u>
DATE <u>3-24-14</u> <u>6-2-14</u>	COURTROOM <u>308</u>	CLERK <u>CG</u>
		DEF. ATTY: <u>JL</u>

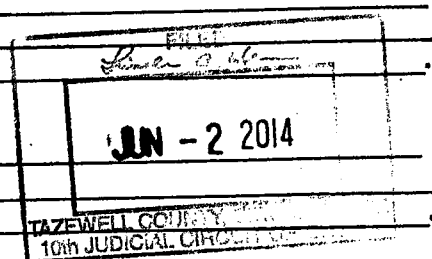
ORDER**HISTORY**

- ☒ 1. The parties announce that a tentative plea agreement has been reached, and the parties disclose the agreement and the reasons for it to the Court. Pursuant to the agreement the Defendant offers to plead guilty to the charge(s) of Retail Theft (Class 3)

in violation of 720 ILCS 5/16-25(a)(1)

- ☒ a. The plea agreement fully disposes of the case.

- ☐ b. The plea agreement is a partial plea agreement whereby



- ☐ 2. Without any agreement of any kind, the Defendant announces to the Court that the Defendant desires to waive the Defendant's right to a trial and plead guilty to the charge(s) of _____

in violation of 720 ILCS _____

- ☐ 3. The Defendant entered a voluntary plea(s) of guilty on _____ 20_____, to the charge(s) of _____

in violation of 720 ILCS _____

- ☐ 4. The Defendant was found guilty on _____ 20_____, by the Court/jury of the charge(s) of _____

in violation of 720 ILCS _____

FINDING

- ☒ 5. Pursuant to Supreme Court Rule 402, the Court fully INFORMS the Defendant of the Defendant's rights and FINDS that the Defendant understands: (1) the nature of the charge(s) against the Defendant; (2) the minimum and maximum sentence(s) prescribed by law for the charge(s) to which the Defendant has offered to plead guilty, including any term of Mandatory Supervised Release, and also including when applicable any penalty to which the Defendant may be subjected because of prior convictions or consecutive sentences; (3) that the Defendant has the right to plead not guilty, or to persist in that plea if it has already been made, or to plead guilty; and (4) the Defendant's right to a trial by jury or by the Court without a jury and that if the Defendant pleads guilty there will not be a trial of any kind, so that by pleading guilty the Defendant waives the right to a trial by jury and the right to be confronted with the witness against the Defendant.

Page 2, Case No. 13-CF-27

- ☒ 6. The Court FINDS that the Defendant's plea(s) of guilty and waiver of rights are knowingly, understandingly and voluntarily made and that no force, threats, improper conduct or promises (apart for the plea agreement) were used to obtain the Defendant's plea(s) of guilty.
- ☒ 7. The Court FINDS after questioning the Defendant in open Court:
- ☒ a. That the plea agreement has been stated in open Court and the terms of the agreement have been confirmed by the Defendant personally.
- ☐ b. That the Defendant has personally confirmed that there is no plea agreement.
- ☐ 8. The Court FINDS that the Defendant has knowingly, understandingly and voluntarily waived the Defendant's right to a preliminary hearing or to be charged by Indictment.
- ☒ 9. The Court FINDS that there is a factual basis for the Defendant's plea(s) of guilty.
- ☒ 10. The Court FINDS the age of the Defendant to be _____ years, the Defendant's date of birth being 11-25, 1980. The Court further FINDS the Defendant's address to be _____.

CONVICTION

- ☒ 11. The Court ORDERS that the Defendant's plea(s)/the jury's verdict(s)/the Court's finding(s) of guilty to the charge(s) of Retail Theft (S) in violation of 720 ILCS 5/16-25(a)(1) is/are accepted and entered of record, and the Court hereby enters judgement on the plea(s)/verdict(s)/finding(s) of guilty and convicts the Defendant of said charge(s).

PRE-SENTENCING INVESTIGATION

- ☐ 12. This matter is REFERRED to the Adult Probation Office of Tazewell County for a pre-sentence investigation, psychological evaluation, if appropriate, and written report thereon. A sentencing hearing is set for _____, 20____, at _____ AM/PM. The Defendant is ORDERED to report to said Probation Office immediately.

- ☒ 13. The Courts FINDS that the Defendant waives the right to a pre-sentence investigation and written report thereon, both parties having agreed to the imposition of a specific sentence and the Court having made a finding as to the Defendant's history of delinquency or criminality.

SENTENCING HEARING

- ☒ 14. Pursuant to 730 ILCS 5/5-4-1, the Court conducts a full sentencing hearing on this date.

AGREEMENT ACCEPTED

- ☒ 15. The Courts announces its acceptance of the plea agreement.

Page 3, Case No. 13-CF-27

SENTENCE

- ☐ 16. It is ORDERED that the Defendant is sentenced to Probation/Conditional Discharge/Probation under 720 ILCS 550/10 or 410, for a period of _____ commencing this date, and the Court further ORDERS that the conditions of probation or conditional discharge will be those conditions specified on the Certificate of Probation or Conditional Discharge signed by the Defendant and filed herein on this date, which certificate is expressly incorporated by reference into this Order. The Defendant is ORDERED to report immediately to the Adult Probation Office of Tazewell County.

- ☒ 17. It is ORDERED that the Defendant is sentenced to imprisonment in the custody of the Illinois Department of Corrections for the term of 2 years, plus 1 year Mandatory Supervised Release, and the Defendant is committed to the custody of said Department for the term specified or until discharged by law.

☐ a. This sentence is to run concurrently with _____

☐ b. This sentence is to run consecutively to _____

☐ c. In addition to the sentence of imprisonment, the Defendant is sentenced to pay a fine of _____ to be paid _____

☐ d. In addition to the sentence of imprisonment, the Defendant is sentenced to make restitution to _____ in the amount of _____

☐ e. The Court FINDS that the Defendant is eligible for an extended term of imprisonment for the offense(s) of _____ because:

☐ (i) The Defendant has been convicted of the same or greater class felony within 10 years, excluding time spent in custody, and the charge(s) were separately brought and tried and arose out of a different series of acts.

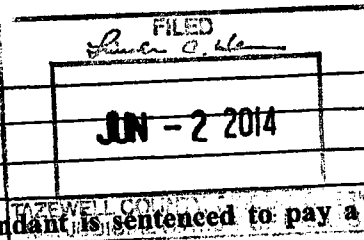
☐ (ii) Said offence(s) was/were accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty.

☒ f. Execution of this Order:

☐ (i) is stayed until _____, 20____, at _____ AM/PM, and the Defendant is ORDERED to report to the Tazewell County Jail at said date and time, for transmittal to the Illinois Department of Corrections.

☒ (ii) shall be without delay, and the Defendant is remanded to the custody of the Tazewell County Sheriff for transmittal to the Illinois Department of Corrections.

- ☐ 18. It is ORDERED that the Defendant is sentenced to imprisonment for _____, a period of less than one year; and the Defendant is committed to the custody of the Tazewell County Sheriff to serve this sentence in the Tazewell County jail or another county jail as the Sheriff may determine.



MISCELLANEOUS

☒ 19. Judgment is entered against the Defendant for the costs plus all mandatory assessments of this proceeding.

☐ 20. Cash bail on deposit is to be returned to the Defendant or assignee after payment of costs, mandatory assessments, restitution, fines, public defender fees and other assessments owed by the Defendant in any other Tazewell County criminal or quasi-criminal cases.

☒ 21. Pursuant to the pleas agreement, the following charge(s) is/are dismissed:

Cont B

☒ 22. The Defendant is to be given credit for ~~254~~ 254 ACTUAL days spent in custody for this offense, but the Defendant is to be given no credit for time spent on probation.

☒ 23. Pursuant to Supreme Court Rule 605, the Defendant is informed of the Defendant's appeal rights.

☐ 24. Bail pending appeal is set in the amount of _____.

☒ 25. Pursuant to 730 ILCS 5/5-4-3, the Defendant is ordered to submit blood, saliva or tissue samples to the Illinois Department of State Police for analysis and DNA indexing. Defendant is further ordered to pay the statutory analysis fee of ~~\$200.00~~ 250.00 *if not previously done*

☐ immediately, out of bond; or

☒ by ~~6-2-15~~ 6-2-15; or

☐ in monthly installments of _____ until paid in full.

☐ 26. Other:

Entered: 6-2-14

[Signature]
Judge of the Tenth Judicial Circuit

Exhibit 6

6-12

RO 02-06

DC 1321

SINGLE OR CONCURRENT DETERMINATE SENTENCES UNDER 1978 LAW AND JAIL CREDIT

NAME Anthony J. James NUMBER M30693 DATE 6-17-14

(STEP 1) (A)

Yr. Mo. Day

-		(Rel. on Bond, Etc.)
-		(Arrest Date)
		(Jail Credits)
+	1	(Add 1 Day)
		(Jail Credits)

(STEP 2)

Yr. Mo. Day

+		(Jail Credits-A)
+		(Jail Credits-B)
+		(Jail Credits-C)
+		(Jail Credits-D)
		(Total Jail Credits)

2 yrs

254 days

(STEP 1) (B)

Yr. Mo. Day

-		(Rel. on Bond, Etc.)
-		(Arrest Date)
		(Jail Credits)
+	1	(Add 1 Day)
		(Jail Credits)

(STEP 3)

Yr. Mo. Day

13	17	32	
14	6	7	(Old Custody/
	8	14	Sentence Date)
			(Total Jail Credits)
13	9	18	(New Custody Date)

(STEP 1) (C)

Yr. Mo. Day

-		(Rel. on Bond, Etc.)
-		(Arrest Date)
		(Jail Credits)
+	1	(Add 1 Day)
		(Jail Credits)

(STEP 4) MITTIMUS NO. 13CF-27

PROJECTED OUT DATE

Yr. Mo. Day

13	9	18	(New Custody Date)
	1		(Sentence Less)
			GCC)
14	9	18	(Projected Out Date)
			(Previous Time
			Lost/Awarded)
			(Adj.Proj.Out Date)

(STEP 1) (D)

Yr. Mo. Day

-		(Rel. on Bond, Etc.)
-		(Arrest Date)
		(Jail Credits)
+	1	(Add 1 Day)
		(Jail Credits)

(STEP 5)

MANDATORY OUT DATE

Yr. Mo. Day

13	9	18	(New Custody Date)
	2		(Sentence)
15	9	18	(Mandatory OutDate)

Adj. Proj. Out Date 9-18-14
 Mandatory Out Date 9-18-15
 Calculated By W

Terminal Operator _____
 Date Entered _____

Exhibit # 7

0-206

ILLINOIS DEPARTMENT OF CORRECTIONS

No Warrant MSR Violation or Notice of Charges of Parole Violation

Releasee: Anthony James ID#: M30693 AKA: _____

FBI#: 3788294DC7 Chicago PD (IR#): _____ State Police (SID#): 16111531

Release Date: _____ Sentence Expiration Date: _____ Violation Date: 6/23/12
(date of commission of crime)

You are hereby notified that you are charged with having committed the following violation of your conditional Release Agreement/Mandatory Supervised Release Agreement:

Rule 1. Failure to obey all municipal, county, state, and federal laws and ordinances.

Description of violation:

Sentence in Tazewell County _____ County Illinois in Case Number 13CF27 _____ to 2 years _____

for the offense of Retail Theft _____

Robert C. [Signature]

Agent or IDOC Representative Signature

6/16/14

Date

I have received a copy of this Notice of Charges

Anthony James
Releasee's Signature

6/17/2014
Date

A copy of this Notice of Charges was delivered by:

T. JOHNSON

Print Name

T. Johnson

Signature

CEO

Title

6/17/14

Date

Exhibit #8

G-204

STATE OF ILLINOIS

PRISONER REVIEW BOARD

WAIVER OF PRESENCE AT REVOCATION HEARING

I, James, Anthony M 30693, the undersigned, hereby execute this waiver of my right to be present at the hearing of the Illinois Prisoner Review Board at which determination of whether I violated conditions of my parole release or mandatory supervised release shall be reached.

I am aware that I do have a right to be present at this hearing and that I may, in fact, be found to have violated the conditions of my release without being able to personally answer charges, cross-examine adverse witnesses or otherwise represent myself.

I do not admit to a violation of the release conditions, but if the Board finds that I am a violator, I accept that decision as final.

****BOARD MEMBERS DO NOT GIVE CALCULATION DATES, YOU MUST GET THAT FROM YOUR INSTITUTION**

Anthony James
(Parole/Release Detainee)

J. Johnson
(Witness)

X 6/17/2014
DATE

6/17/14
DATE

* 730 ILCS 5/3-3-9
7.6(A) 3-3-7
730 ILCS 3/3-3-7
730 ILCS 5/3-3-10

State of Illinois
PRISONER REVIEW BOARD ORDER

Date: June 25, 2014

Name James, Anthony	Number M30693	Facility NCC	Docket No. PN/AB
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To the Warden -

The following order is your authority to release this individual on parole to the custody and supervision of the Office of Community Supervision, or continue to hold as indicated. If parole is ordered, said order is subject to being vacated prior to release to parole. Any release is contingent upon execution of Parole or Mandatory Supervised Release Agreement.

X PAROLE/MANDATORY SUPERVISED RELEASE REVOCATION		<input type="checkbox"/> PAROLE
<input type="checkbox"/> Found not to be a violator <input checked="" type="checkbox"/> Declared a violator as of <u>6/23/12</u> on _____ <input type="checkbox"/> Statutory Parole <input checked="" type="checkbox"/> Mandatory Supervised Release <input type="checkbox"/> Parole <input checked="" type="checkbox"/> Parole or release revoked <input type="checkbox"/> Continued to _____ <input type="checkbox"/> Parole or release continued <input type="checkbox"/> Effective _____ <input type="checkbox"/> Effective when plans are approved <input type="checkbox"/> Subject to Condition(s) listed below Release effective upon the approval of a viable host Site as determined by IDOC. (Sex offenders only) <input type="checkbox"/> Hearing continued to _____ <input type="checkbox"/> For further information <input type="checkbox"/> For Court Disposition <input type="checkbox"/> At inmate's request <input type="checkbox"/> For Violation Report	Violator Rationale The inmate named has violated parole or Mandatory Supervised Release because the inmate: <input checked="" type="checkbox"/> Committed the criminal offense of <u>2102</u> _____ <input checked="" type="checkbox"/> Violated condition(s) <u>01</u> _____ of the Parole or Release Agreement. <input type="checkbox"/> Violated condition(s) _____ _____ of your Special Order. <input type="checkbox"/> Absconded. <input type="checkbox"/> Failed to report or falsified report(s). Evidence Relied Upon <input type="checkbox"/> Counselor's Report <input type="checkbox"/> Police Report <input type="checkbox"/> Witnesses testimony <input type="checkbox"/> Own Admission	<input type="checkbox"/> Parole granted effective when <input type="checkbox"/> Parole plans are approved <input type="checkbox"/> Minimum is served <input type="checkbox"/> Eligible <input type="checkbox"/> Subject to regular conditions and <input type="checkbox"/> Subject to condition(s) listed below <input type="checkbox"/> Parole denied, continued to _____ <input type="checkbox"/> Hearing continued to _____ <input type="checkbox"/> Psychiatric Report requested <input type="checkbox"/> For verification of parole plans <input type="checkbox"/> At inmate's request <input type="checkbox"/> Release date offer attached to and made a part of this order. <input type="checkbox"/> See Rationale attached to and made a part of this Order Order of _____ <input type="checkbox"/> Amended <input type="checkbox"/> Stayed <input type="checkbox"/> Vacated

The Board finds that this evidence is sufficient because:

No Sentence

SPECIAL ORDER:
YOU ARE OBLIGATED TO THE GENERAL RULES GOVERNING PAROLEES OR MANDATORY SUPERVISED RELEASEES AND THE FOLLOWING SPECIAL ORDER(S):

- | | |
|--|---|
| <input type="checkbox"/> Substance Abuse Counseling (CD) | <input type="checkbox"/> Anger Management Counseling (CG) |
| <input type="checkbox"/> Outpatient Mental Health Counseling (CP) | <input type="checkbox"/> Sex Offender Counseling (CX) |
| <input type="checkbox"/> Electronic Monitoring (CE) for a period of _____ | |
| <input type="checkbox"/> No Victim Contact (CT) _____ | |
| <input type="checkbox"/> No Computer/Internet Access - You are not to have Internet access of any type through a Computer, WebTV, cell phone, personal digital assistant (PDA), or any other device without prior approval by your parole agent. Approval for Internet access may only be made for employment and school related activities. You are prohibited from establishing a profile or utilizing someone else's profile on a social-networking website and from contacting or communication with minors on these sites. (CC) | |
| <input type="checkbox"/> Other: (CO) _____ | |

PRISONER REVIEW BOARD:

**ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER'S GRIEVANCE**

Date: <u>7/14/2014</u>	Offender: <u>Anthony James</u> (Please Print)	ID#: <u>M30693</u>
Present Facility: <u>Stateville / N.R.C.</u>	Facility where grievance issue occurred: <u>Stateville / N.R.C.</u>	

NATURE OF GRIEVANCE:

<input type="checkbox"/> Personal Property	<input type="checkbox"/> Mail Handling	<input type="checkbox"/> Restoration of Good Time	<input type="checkbox"/> Disability
<input type="checkbox"/> Staff Conduct	<input type="checkbox"/> Dietary	<input type="checkbox"/> Medical Treatment	<input type="checkbox"/> HIPAA
<input type="checkbox"/> Transfer Denial by Facility	<input type="checkbox"/> Transfer Denial by Transfer Coordinator	<input checked="" type="checkbox"/> Other (specify): <u>MOR Violation.</u>	

☐ Disciplinary Report: _____
Date of Report: _____ Facility where issued: _____

Note: Protective Custody Denials may be grieved immediately via the local administration on the protective custody status notification.

Complete: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to:
 Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board.
 Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor.
 Chief Administrative Officer, only if EMERGENCY grievance.
 Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

Brief Summary of Grievance: In July 2012, I was sentenced to 3 years D.O.C. with 1 year MOR on case 11CF219. On 9/20/2013, I was paroled from Lawrence Correctional Center into Tazewell County Justice Center for an outstanding warrant for a case that occurred on 6/23/2012, before I was in custody or serving time on case 11CF219. I served 254 days total of my parole at Tazewell County, I also seen my agent once a month to comply with rules. On 6/2/2014, I was sentenced on case 13CF27 to 2 years D.O.C. and 1 year MOR. I have 254 days total credit on that case which makes my projected out Date 9/15/2014. I received an MOR violation sheet stating that my parole was violated on 6/23/2012 and I owe 1 year 11 months and 9 days. My parole was violated for case 13CF27

Relief Requested: I would like for my projected out Date fixed to 9/18/2014, and not 7/16/15 because by law I can't violate parole for a case that took place before I was ever on parole or serving time for.

☐ Check only if this is an **EMERGENCY** grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.

Anthony James M30693 7/14/2014
Offender's Signature ID# Date

(Continue on reverse side if necessary)

Date Received: <u>7, 7, 14</u>	Counselor's Response (if applicable)
<input type="checkbox"/> Send directly to Grievance Officer <input type="checkbox"/> Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277	Response: <u>Spoke with the record office to address your concern. Record office calculated correctly according to information received from PRB. IF you are dissatisfied with decision, you need to write to PRB.</u>
<u>Barnes</u> Print Counselor's Name	<u>B. Barnes</u> <u>ced</u> <u>7.7.14</u> Counselor's Signature Date of Response

EMERGENCY REVIEW	
Date Received: _____	Is this determined to be of an emergency nature? <input type="checkbox"/> Yes; expedite emergency grievance <input type="checkbox"/> No; an emergency is not substantiated. Offender should submit this grievance in the normal manner.
_____ Chief Administrative Officer's Signature	_____ Date

ILLINOIS DEPARTMENT OF CORRECTIONS
OFFENDER'S GRIEVANCE (Continued)

which occurred before I was ever in custody or even on parole for case 11CF219. Now if a violation happened, by law my parole time stops at the time the warrant was issued. And seeing that the warrant was issued in february 2013, while I was serving time in the custody of D.O.C. I can't be violated. My violation date should be 6/2/2014, seeing that I took additional D.O.C. time. Which leaves me with about 111 days left on parole and 111 days left on case 13CF27. So by law my projected out date is 9/18/2014. I can't violate if I was in custody on an out standing warrant for a case that happened before I was serving time in D.O.C.